

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

April 16, 1991

CHAIRMAN

The Honorable Edward J. Markey
United States House of
Representatives
Washington, D.C. 20515

Dear Congressman Markey:

I am responding to your letter of February 28, 1991, in which you expressed support for upgrading the physical security at U.S. nuclear power reactors licensed by the Nuclear Regulatory Commission (NRC). In addition, you requested the Commission to reverse the January 15, 1991 denial of a request for emergency implementation of vehicle bomb contingency plans at power reactors. Finally, your letter presented a number of questions which are answered in Enclosure 1.

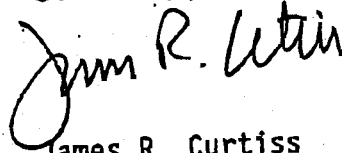
As noted in the Commission's February 14, 1991 letter to you, the Petition for Rulemaking is receiving full review and consideration in an expedited manner. We will, of course, provide you with the results upon completion of the review. The public comment period closed on February 28, 1991, and 26 comments were received as of that date. Your personal views will also be considered as part of this process.

As you may recall, current threat statements were based on extensive study and interaction with other Federal agencies regarding potential threats to licensed facilities. Throughout the formative stages of the threat statements and since their promulgation, the NRC has pursued factual information upon which to base its consideration of the potential threat to licensed facilities. A thorough understanding of demonstrated adversary characteristics directs the staff's deliberations of the threat environment, domestic and foreign. That environment is continually reviewed by staff for any change that might require a modification to the NRC design basis threat statements, and, consequently, to safeguards requirements. Our January 15, 1991 assessment concluded that no credible threat to NRC licensed facilities had been identified. If such a threat is identified, we would take prompt, appropriate action.

In response to the petitioner's Request for Emergency Action, the NRC declined to activate contingency plans to protect reactors against truck bombs based on the ongoing assessment of the worldwide threat environment. (See March 4, 1991 letter to petitioner's counsel at Enclosure 2.) At the time of your request for consideration, this assessment was unchanged and thus we have taken no action on your request. The Commission will not hesitate to require implementation of contingency plans should the situation warrant, and is confident that these plans, if implemented, will satisfy the purpose for which they were intended.

I want to assure you that, although the armed conflict in the Persian Gulf has ended, we will not reduce our continued vigilance. Specifically, the NRC will continue to closely monitor developments worldwide, particularly in the Middle East, and if the situation warrants, the NRC is prepared to take appropriate action.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim R. Curtiss". The signature is fluid and cursive, with the first name "Jim" and last name "Curtiss" clearly distinguishable.

James R. Curtiss
Acting Chairman

Enclosures:

1. Responses to Questions
2. Letter from Chilk to Greenberg
dtd 3/4/91

[Full responses to questions and supporting documents may be obtained from Rep. Markey's office.]